

As a consumer of broadband services for some years now, I would like to share with the Commission my experiences relating to the current Inquiry.

I am what may be considered a "power user", or a "high traffic consumer". I pay a premium for the highest bandwidth broadband packages that are available in any area in which I reside, and I utilize that bandwidth extensively, for business, research, entertainment, and communications.

Over the past 10 years, I have had many experiences with different Broadband providers in Illinois and Ohio. In general, they have been positive experiences. Some instances, however, have been negative ones, and those have increased in recent years.

Broadband providers, as a general rule, oversell their available bandwidth, banking upon the fact that not everyone will be online at the same time. This practice is nearly as old as public internet access itself; the infamous "busy signal" problem that AOL customers faced in the early 1990's is a classic example. The problem that has arisen in recent years, however, is that Broadband providers have failed to take adequate measures to expand their networks against the increases in network traffic as more and more content is made available and consumed by their customers in the form of P2P networks, streaming video, voice-over-IP, and the like. This is a fault of the Management of the Broadband Provider, not the consumer.

Broadband providers advertise "unlimited access" to the Internet for a flat fee, usually around \$20 per month for the basic, often severely limited, "broadband" package. High-volume users, such as myself, frequently pay \$100 per month or more for access to higher amounts of bandwidth under that same "unlimited use" clause. Recent attempts at "throttling" certain types of packets is *not* "necessary network management". Rather it is an attempt by Broadband Providers to violate the agreement they entered into with the consumer, to provide "unlimited" network access of a certain bandwidth for a certain amount of financial compensation.

Legitimate network management involves the routing and re-routing of traffic during peak usage hours to mitigate congestion at any single point in the network, and the planning for growth in network capacity to handle future data transfer requirements. It can involve prioritizing packets for time/interactivity sensitive applications such as VOIP or online gaming. In my experience, however, this is rarely done, and furthermore, rarely do the broadband providers actually meet the advertised levels of bandwidth promised to the high-volume subscriber.

I have had issues with certain Broadband ISP's over VOIP.. namely Time Warner/Roadrunner.. In Columbus, Ohio I was unable to use Vonage's VOIP phone service due to packet loss issues, but the newly -debuted service by Time Warner/Roadrunner worked flawlessly next door. The Vonage service required 90kbps free bandwidth to run, and our residence had subscribed to a 15mbps down, 1.5mbps up connection. Even with low local network overhead, communication proved to be impossible via the VOIP service because of static garbling and echo effects, a product of high network latency and packet loss. I spent several months and hundreds of dollars ensuring that it was not a problem on my end, and Time Warner/Roadrunner refused to even acknowledge there was an issue. In addition, at no time did I *ever* actually receive the 15mbps/1.5mbps throughput that I was paying an extra \$80 per month for.. The best I was able to measure was around 10mbps/800kbps via several publically available "internet speed tests."

Additionally, for the last few years, Time Warner/Roadrunner does not seem to be engaging even in appropriate network traffic management. From several locations around Columbus, OH, I have recorded upwards of 50% packet loss on a consistent basis from one hub on their network, sometimes rising as high as 80% during peak morning hours. This makes time dependent internet applications essentially non-functional. When contacted, Time Warner refused to address the matter.

In Akron, Ohio, the service is less congested, but the broadband offerings are significantly reduced, for the same premium price.

Here in semi-rural Illinois, Broadband access via Mediacom is functional, if somewhat slow, with the exceptions of semi-regular periods of nonfunctionality of the local DNS servers, which prevents *any* network usage from transpiring.

To bring this comment to a close, I will sum up with the following:

Large Broadband Providers have made it a policy over the last 10 years to provide a minimal level of service and functionality to the consumer while charging every dime that the market will bear. They fail to update their networks, fail to deliver on their advertised promises, and fail to correct their shortcomings on a level which can only be described as "systemic", indicating that bordering on consumer fraud is a "standard operating procedure." They cannot be entrusted with any sort of consumer protection, and require Commission oversight if the neutrality of the Internet is to be preserved. They appear, in fact, to be incapable of responsible action beyond the minimum required to maintain their often excessive levels of profit.